

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:23mj02922 Becerra

FILED BY mdc D.C.

UNITED STATES OF AMERICA

v.

ERNESTO REYNA,

Defendant.

May 12, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - Miami, FL

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No.
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No.
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No.

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

BY: /s/ Jacob Koffsky
Jacob Koffsky
Assistant United States Attorney
Southern District of Florida
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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Southern District of Florida

United States of America)

v.)

Ernesto Reyna,)

) Case No. 1:23mj02922 Becerra

)

)

Defendant(s)

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 11, 2023 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841(a)(1)	Possession of controlled substance with intent to distribute

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet.


Complainant's signature

Jarahn Williams, Special Agent, DEA
Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by _____ Telephone _____

Date: May 11, 2023 _____


Judge's signature

City and state: Miami, Florida _____

Hon. Jacqueline Becerra, United States Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jarahn Williams, herein after referred to as Affiant, being first duly sworn, hereby depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. This Affidavit is submitted in support of a criminal complaint, which charges Ernesto Reyna (“REYNA”) with possession of a controlled substance—that is, approximately six ounces (170.1 grams) of crystal methamphetamine, a Schedule II controlled substance—with intent to distribute, in violation of 21 U.S.C. § 841(a).

2. I am a Special Agent of the Drug Enforcement Administration (“DEA”), assigned to the Miami Field Division, Homestead Resident Office. I have been a Special Agent with the DEA since November 2014. Prior to becoming a Special Agent, I was a Diversion Investigator with the DEA in Houston, Texas, for approximately three and a half years. Upon joining the DEA, I received approximately eighteen (18) weeks of training at the DEA Training Academy in Quantico, Virginia. This training included the methods by which drug traffickers possess and distribute controlled substances, the concealment and laundering of drug proceeds, and the manner and means by which drug traffickers attempt to evade law enforcement scrutiny.

3. In connection with my official DEA duties, I investigate criminal violations of federal narcotics, money laundering, and firearm laws, among other violations of federal law. As a Special Agent, I have participated in a number of drug trafficking and money laundering investigations. During the course of my involvement in those investigations, I participated in surveillance, executed search warrants, debriefed informants and witnesses, and reviewed recorded conversations. As such, I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of

the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1).

4. The information set forth in this Affidavit comes from my personal involvement in this investigation, as well as from information provided to me by other law enforcement officers and people with knowledge of the case. This Affidavit does not represent every fact law enforcement knows about this investigation and is submitted for the limited purpose of establishing probable cause for the issuance of the criminal complaint against REYNA for the aforementioned criminal violation.

SUMMARY OF THE INVESTIGATION

5. Law enforcement's investigation into REYNA began when a confidential source ("CS-1") reported that an individual was selling illegal narcotics in Homestead, FL. CS-1 identified the seller as REYNA and provided REYNA's phone number. CS-1, at law enforcement's direction, coordinated a meeting between another confidential source ("CS-2") and REYNA. During the meeting, CS-2 and REYNA exchanged numbers and agreed to be in contact about a narcotics sale.¹

The May 1, 2023 Methamphetamine Sale

6. On or about May 1, 2023, CS-2 met with REYNA to buy narcotics. They planned to meet at a Wal-Mart parking lot, located at 13600 SW 288th Street, Homestead, Florida 33033. Before CS-2 met with REYNA, law enforcement searched CS-2 to ensure that he/she did not bring any contraband to the planned drug transaction. Law enforcement then provided CS-2 with \$1,500 in law enforcement funds and established surveillance in the area surrounding the Wal-Mart parking lot.

¹ Both CS-1 and CS-2 have assisted DEA for over a year and have proven to be reliable in the past. Neither confidential source has been charged.

7. Shortly thereafter, law enforcement observed the arrival of a black Nissan bearing Florida license plate AX71HE, driven by REYNA and registered to a person named Ernis Reyna. Law enforcement observed CS-2 enter the passenger side door of the black Nissan. REYNA was the driver and sole occupant of the Nissan. After a brief interaction between CS-2 and REYNA, law enforcement observed CS-2 exit the black Nissan and enter into CS-2's vehicle. CS-2 then drove to a pre-determined location where CS-2 was debriefed. At this secure location, CS-2 provided law enforcement with one Cozy Chamomile herbal tea box, which contained aluminum foil and, concealed within, approximately three ounces of methamphetamines. CS-2 confirmed that \$1,500 was paid to REYNA in exchange for the narcotics. CS-2 was searched and no other contraband was found on his/her person. Law enforcement is awaiting laboratory analysis of the three ounces of methamphetamines. This transaction was audio and video recorded by CS-2.

8. A search of the Driver and Vehicle Information Database (DAVID) and of records from REYNA's cell-phone carrier, AT&T, listed the PREMISES as REYNA's residence.

The May 11, 2023 "Buy-Bust"

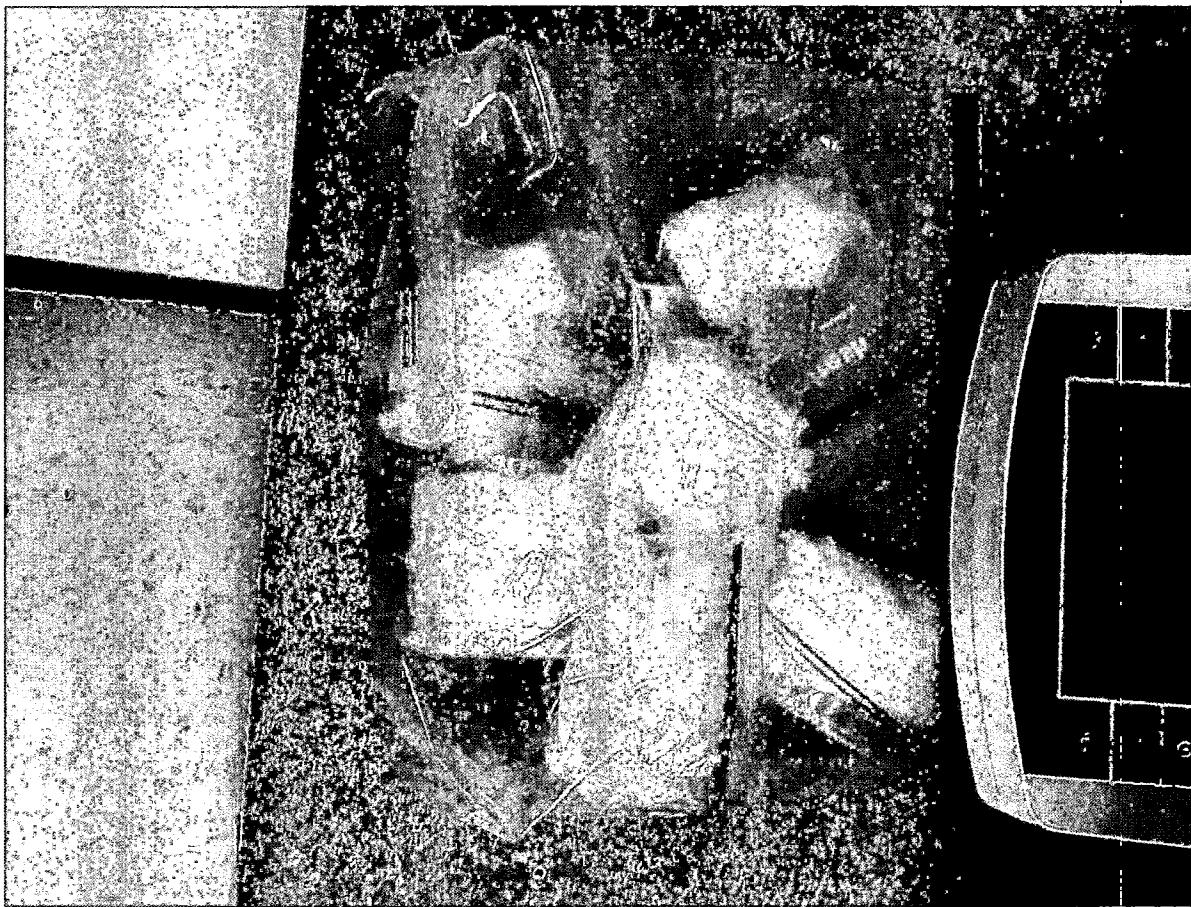
9. On or about May 10, 2023, CS-2 contacted REYNA to coordinate the purchase of one pound of crystal methamphetamine for \$8,000. REYNA informed CS-2 that he would provide CS-2 with his address the following morning.

10. On or about May 11, 2023, law enforcement planned to execute the transaction with REYNA, through CS-2. Before doing so, law enforcement searched CS-2 and CS-2's vehicle, and no drugs were found either on his/her person or inside his/her vehicle. Law enforcement also provided the CS with audio and video recording equipment, along with \$10,000 of "sham" money.

11. Law enforcement followed CS-2 to a pre-determined location, where CS-2 made a telephone call to REYNA. During that call, REYNA told the CS-2 to meet him at the PREMISES to execute the transaction. CS-2 told REYNA that he/she would drive to the PREMISES. Law enforcement followed CS-2 to the PREMISES, which is located inside a gated community.

12. As CS-2 and law enforcement approached the entrance to the community, REYNA was observed walking on the sidewalk near the entrance. Law enforcement then observed REYNA approach CS-2's vehicle and enter through the front passenger side door. Law enforcement followed REYNA and CS-2 as they drove through the security gate and parked in front of the PREMISES. At that time, law enforcement observed REYNA exit the vehicle, walk into the PREMISES and, a short time later, re-emerge from the PREMISES and re-enter CS-2's vehicle. CS-2 then issued an arrest signal, at which time law enforcement approached the vehicle and arrested REYNA without incident. REYNA invoked his *Miranda* rights.

13. Law enforcement then searched CS-2's vehicle. In the center console, law enforcement found a parcel wrapped in aluminum foil and, concealed within, a clear gallon-sized ziplock bag containing smaller baggies of suspected crystal methamphetamine. Law enforcement is awaiting laboratory analysis of the suspected narcotics. Law enforcement did not view REYNA carrying the parcel when he walked out of the PREMISES and into CS-2's vehicle, but based on the size of the parcel (pictured below), it could have been easily concealed or not visible to law enforcement:

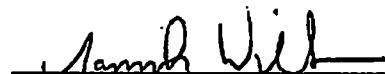


14. In the experience of law enforcement, narcotics dealers like REYNA, when conducting sales of narcotics, often hide the narcotics somewhere on their person, including within pockets of clothing, to keep the narcotics out of plain view. Moreover, in the experience

[remainder of page left blank]

of law enforcement, narcotics dealers like REYNA often keep inside their homes additional narcotics stashes for future sales, as well as significant quantities of cash from prior narcotics sales.

FURTHER AFFIANT SAYETH NAUGHT.



JARAHN WILLIAMS
SPECIAL AGENT
DRUG ENFORCEMENT ADMINISTRATION

Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1
by Telephone this 11th day of May 2023.



HONORABLE JACQUELINE BECERRA
UNITED STATES MAGISTRATE JUDGE